

Public Notice

U.S. Army Corps of Engineers, Norfolk District

February 9, 2006

CENAO-TS-REG
05-V2713

FEDERAL PUBLIC NOTICE

The District Engineer and the Virginia Department of Environmental Quality have received a joint application for Federal and State permits as described below:

APPLICANT

Vulcan Construction Materials
Attn: Mr. Walter Beck, III
5601 Ironbridge Parkway
Chester, VA 23831

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located adjacent to Horsepen Run a tributary to the Rappahannock River, south of State Route 655 and east of Route 725 in Stafford County, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to impact 11.533 acres of forested wetlands for the construction of a 368-acre rock/gravel quarry known as Westlake Quarry. In addition, the applicant proposes to impact 958 linear feet of stream channel for the temporary access road, Route 725, which extends from Route 17 and through the Westlake PUD in Stafford County. Although the road may be considered temporary for the mining process, the road may serve the future proposed Westlake PUD adjacent to Route 725, which would require mitigation for the impacts to 1.397-acres of wetlands and 958 linear feet of stream. To mitigate for the proposed 11.533-acres of forested wetland impacts associated with the quarry construction, the applicant proposes to create 23.06-acres of forested wetlands within the same Hydrological Unit Code (HUC) 2080104.

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ) assuring that applicable laws and regulations pertaining to water quality are not violated and a permit from the WHAT Wetlands Board. Project drawings are attached.

AUTHORITY: Permits are required pursuant to Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit

will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected from the proposal, must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites for Dredged or Fill Material" will also be applied (Section 404(b)(1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Engineer within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Engineer will then decide if a hearing should be held.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) there may be properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal. We are conducting an investigation and will comply with the consultation requirements of Section 106 of the National Historic Preservation Act. For compliance with the Coastal Zone Management Act of 1972, as amended, the applicant must certify that federally licensed or permitted activities affecting Virginia's coastal zone (Tidewater) will be conducted in a manner consistent with the Virginia Coastal Resources Management Program (VCP). For more information or to obtain a list of the enforceable programs of the VCP, contact the Department of Environmental Quality, Office of Environmental Impact Review at (804) 698-4330 or e-mail: elirons@deq.virginia.gov.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: Regena Bronson), PO Box 1704 , Leonardtown, Maryland 20650, and should be received by the close of business on

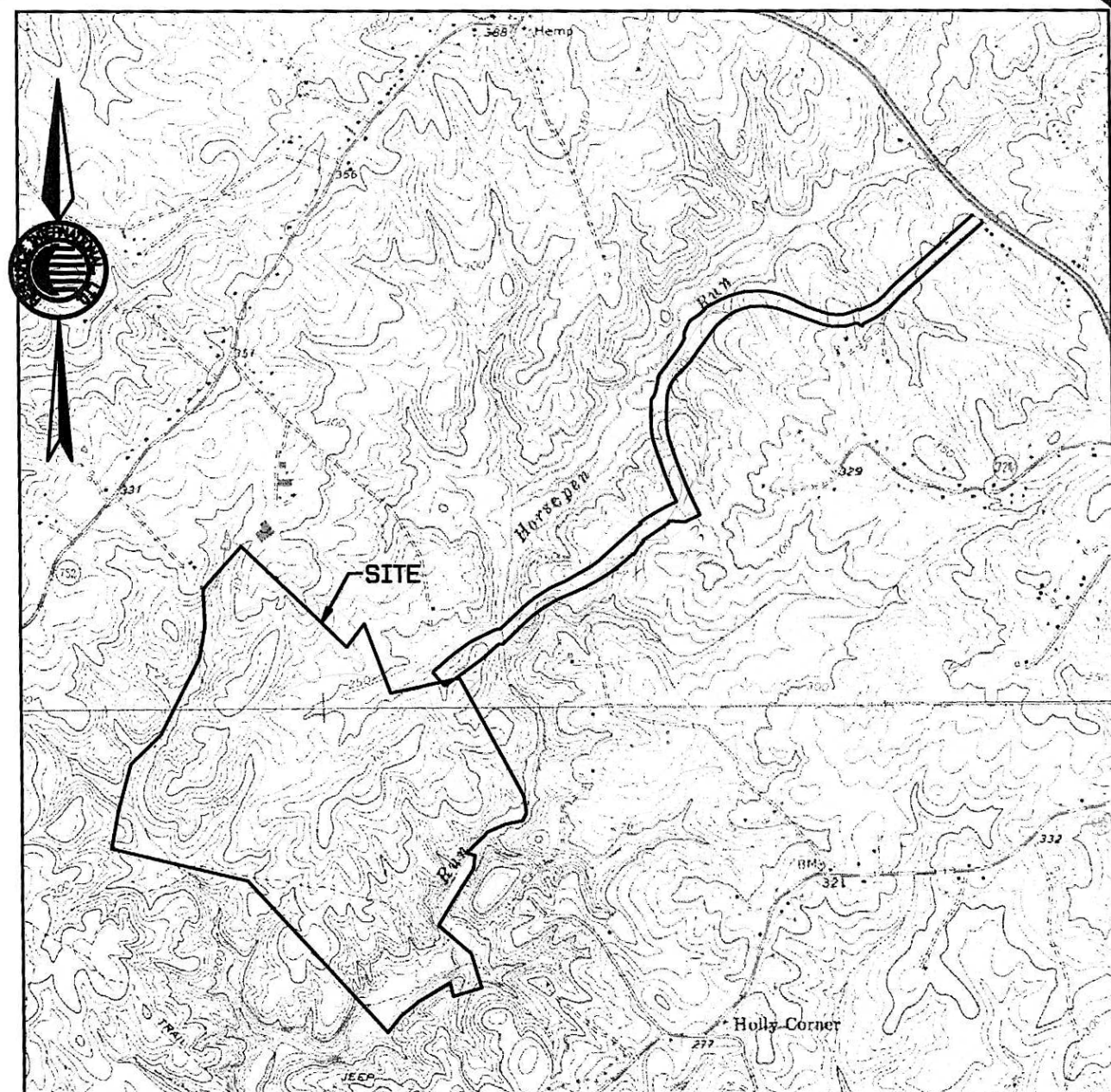
March 9, 2006

If you have any questions about this project or the permit process, please call:
Regena Bronson at 301.475.2720 regena.d.Bronson@nao02.usace.army.mil

FOR THE DISTRICT ENGINEER:

Bruce F. Williams
Chief, Northern Virginia
Regulatory Section

Attachment: Drawings



U.S.G.S. 7.5 MINUTE SERIES QUADRANGLES
 SALEM CHURCH, VIRGINIA (1966, REVISED 1984, INSPECTED 1988)
 STORCK, VIRGINIA (1966, REVISED 1984)
 SCALE: 1" = 2000'

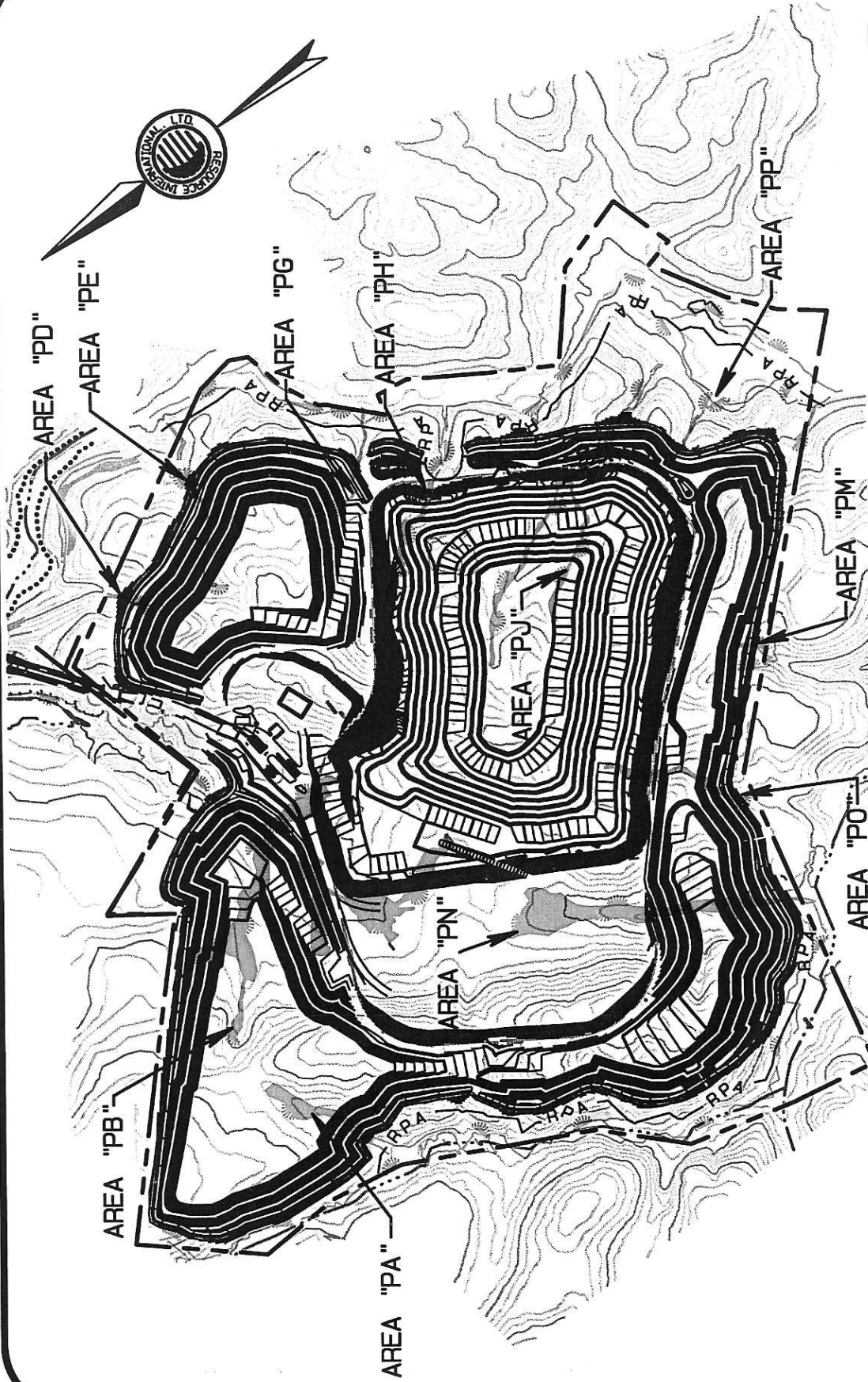


FIGURE 2
 PERMANENT IMPACTS ENLARGEMENT KEY
 VULCAN CONSTRUCTION MATERIALS COMPANY
 PROPOSED WESTLAKE QUARRY
 STAFFORD COUNTY, VIRGINIA
 SCALE: 1" = 800'

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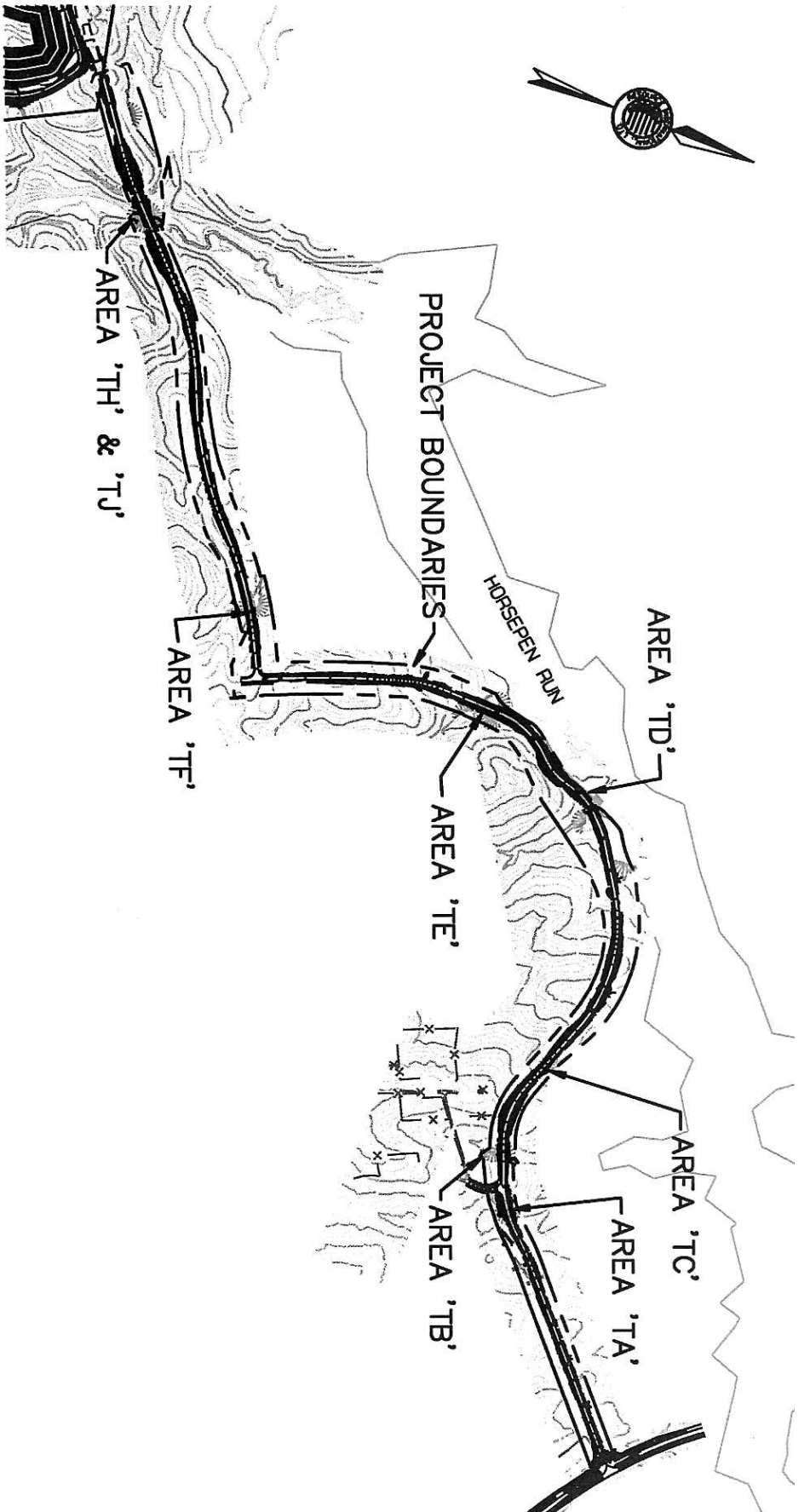


FIGURE 13
 TEMPORARY IMPACT ENLARGEMENT KEY
 VULCAN CONSTRUCTION MATERIALS COMPANY
 PROPOSED TEMPORARY MINING ACCESS ROAD
 STAFFORD COUNTY, VIRGINIA
 SCALE: 1" = 1000'



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